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Letter dated 7 June 2017 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to draw the attention of the Security Council to the regrettable events related to the militia of the customary chief Kamwina Nsapu in the Kasai provinces and to convey to the Council the positive reaction of the Government of the Democratic Republic of the Congo transmitted to the United Nations High Commissioner for Human Rights, in response to his request for a joint investigation of those events (see annex I).

Also enclosed with this letter is the road map on cooperation between my Government and the United Nations Joint Human Rights Office in connection with the investigations into human rights violations committed in the said provinces (see annex II).

I should be grateful if you would have the present letter and its annexes circulated as a document of the Security Council.

(*Signed*) Ignace **Gata Mavita**
Ambassador
Permanent Representative

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Annex I to the letter dated 7 June 2017 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council

Letter dated 6 June 2017 from the Minister of Human Rights of the Democratic Republic of the Congo to the United Nations High Commissioner for Human Rights

The Government of the Democratic Republic of the Congo, through the Ministry of Human Rights, has taken note of the statement you made on Tuesday, 6 June 2017, at the opening of the thirty-fifth session of the Human Rights Council, with reference to the regrettable events related to the militia of the customary chief Kamwina Nsapu in the Kasai provinces.

As I was obliged to underscore when you were kind enough to meet with me on 4 May 2017 in Geneva, the Government of the Republic, upon the instructions of the country's highest leadership, is determined to punish all serious human rights violations committed in that part of the Republic, whoever the perpetrators are, and stands ready to cooperate with the United Nations Joint Human Rights Office in the Democratic Republic of the Congo and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), with a view to establishing the truth in relation to those events. In that regard, the road map communicated to you on 24 May 2017 amply demonstrates this willingness (see annex II).

I wish to reiterate once again the willingness of the Government of the Democratic Republic of the Congo to continue the investigations in the Kamwina Nsapu case begun jointly with those two United Nations entities almost three months ago; however, we wish the Congolese judiciary to maintain the lead role in the investigations. Nonetheless, we would be very grateful if MONUSCO and the United Nations Joint Human Rights Office could make forensic experts, and any other technical support, available to us, with a view to bringing the investigations to a successful conclusion.

With regard to the murder of Michael Sharp and Zaida Catalan, I should like to point out that the trial was begun on Monday 5 June in Kananga, and the next hearing will take place on 12 June. To that end, we invite the United Nations Joint Human Rights Office, MONUSCO and all non-governmental organizations involved in the protection of human rights to send their representatives to attend the trial.

Since I will be in Geneva next week with my colleague, the Minister of Justice and Keeper of the Seals, Alexis Thambwe Mwamba, and with the Personal Representative of the Head of State for combating sexual violence and child recruitment, Jeanine Mabunda, in order to take part in the interactive dialogue on the human rights situation in the Democratic Republic of the Congo, I stand ready to continue discussions with you and/or with your Representative based in Kinshasa, José María Aranaz.

(*Signed*) Marie-Ange **Mushobekwa L.**

Annex II to the letter dated 7 June 2017 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council

Letter dated 24 May 2017 from the Minister of Human Rights of the Democratic Republic of the Congo to the Director of the United Nations Joint Human Rights Office and Representative of the High Commissioner for Human Rights in the Democratic Republic of the Congo

Further to my letter sent to you on 9 May 2017, concerning my meeting with the United Nations High Commissioner for Human Rights on 4 May 2017, I have the honour to transmit herewith the road map on cooperation between the Government of the Democratic Republic of the Congo and the United Nations Joint Human Rights Office in connection with the investigations into serious human rights violations committed in the Kasai provinces (see enclosure).

(*Signed*) Marie-Ange **Mushobekwa L.**

Enclosure

Draft road map between the Government of the Democratic Republic of the Congo and the United Nations Joint Human Rights Office with a view to achieving transparent and credible investigations into serious human rights violations in the Kasai provinces

A	*Fundamental principles to be observed in the cooperation between the Government and the United Nations Joint Human Rights Office*	*References*
1	The Government's primary responsibility for the protection of human rights throughout the Democratic Republic of the Congo	Constitution of the Republic; Human Rights Council resolutions
2	Full respect for the sovereignty of the Democratic Republic of the Congo	Charter of the United Nations; Constitutive Act of the African Union
3	Respect for the independence of the national judiciary and the subsidiary nature of recourse to international courts and tribunals	Constitution of the Republic; statutes of international courts and tribunals
4	The impartial and objective treatment (non-selective, non-sensational and without political interference) of all information and intelligence	National and international legal instruments
5	Respect for the confidentiality of the investigation	

B	*Actions*	*Time frame*
1	Letter from the Minister of Human Rights addressed to the United Nations High Commissioner for Human Rights, following their meeting on 4 May 2017 in Geneva	Tuesday, 9 May 2017
2	Meeting of the task force (i.e., Minister of State, Minister of Justice and Keeper of the Seals; Minister of Defence; Minister of Human Rights; Prosecutor General of Forces armées de la République démocratique du Congo; Personal Representative of the Head of State for combating sexual violence and child recruitment) with the Director of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo, to discuss the road map	Friday, 19 May 2017
3	Detailed road map proposed by the Minister of Human Rights to the United Nations Joint Human Rights Office and discussions between the parties to reach agreement	Monday, 22 May 2017
4	Meeting between the task force and the United Nations Joint Human Rights Office to evaluate and reach agreement on the road map	Friday, 26 May 2017
5	Weekly meetings of the task force and the United Nations Joint Human Rights Office to evaluate progress made in combating impunity for serious human rights violations in Kasai	Every Friday, i.e., four meetings per month

C	*Areas of cooperation between the two parties*	*Time frame*
1	Provision by the Congolese Government of logistical and technical resources to the national commission of inquiry; recourse to international partners (African Union, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and United Nations Joint Human Rights Office)	Monday, 29 May to Wednesday, 28 June 2017
2	Material support by the Congolese Government and the United Nations Joint Human Rights Office to establish mobile courts for the promotion and protection of human rights	Friday, 2 June to Monday, 3 July 2017
3	Capacity-building for human rights investigators, national forensic police officers, and civil and military judges	Monday, 29 May to Thursday, 29 June 2017
4	Material support by the Congolese Government to the Commission of Forces armées de la République démocratique du Congo on combating sexual violence	Monday, 29 May to Wednesday, 7 June 2017
5	Humanitarian assistance for the 15,000 Congolese refugees in Angola and more than one million internally displaced persons	Monday, 22 May to Monday, 24 July 2017
6	Monitoring of cases of sexual violence and identification of those guilty of using children as human shields; sharing of judicial information held by the United Nations Joint Human Rights Office	Monday, 29 May to Monday, 12 June 2017
7	Visit by the senior military prosecutors of the former Kasai Occidental and former Kasai Oriental, together with experts from the prosecution support cells and the Geographical Institute, as well as forensic experts, to the sites where mass graves have been identified, for the purposes of jointly: (a) Mapping the mass graves (b) Mapping the presence of units of Forces armées de la République démocratique du Congo, with an indication of the dates of operations conducted	Thursday, 15 June to Thursday, 22 June 2017
8	Meeting between the senior military prosecutors of the Kasai provinces, the United Nations Joint Human Rights Office and the prosecution support cells in Mbuji-Mayi and Kananga to share the information obtained	Friday, 23 June 2017
9	Transmission of the judicial mission's report, including the results of the mapping exercises, to the Prosecutor's Office of Forces armées de la République démocratique du Congo	Monday, 26 June to Thursday, 29 June 2017
10	Transmission by the senior military prosecutors of the former Kasai Occidental and former Kasai Oriental, to the MONUSCO prosecution support cells covering the five Grand Kasai provinces, of a request for support	Monday, 3 July to Friday, 7 July 2017
11	Follow-up meeting in Kinshasa between the task force and the United Nations Joint Human Rights Office	Friday, 14 July 2017
12	Start of the investigations with the requested support	As from Monday, 17 July 2017
13	Direct support to the Government in carrying out peace awareness activities: support for the government initiative to organize a forum on peace and reconciliation in the Kasai provinces	Monday, 24 July to Thursday, 27 July 2017

Done at Kinshasa, 22 May 2017
(*Signed*) Marie-Ange **Mushobekwa L.**